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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 3rd meeting
Held at Headquarters, New York, on Thursday, 6 October 2005, at 3 p.m.

Chairman: Mr. Aliyev ..... (Azerbaijan)

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05-53815 (E)

The meeting was called to order at 3.20 p.m.

Agenda item 26: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other items) (*continued*) (A/60/23 and 116)

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Agenda item 37: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/60/67)

1. **Mr. Baali** (Algeria), said that 45 years after the adoption of General Assembly resolution 1514 (XV), it was evident that no other United Nations resolution had had such a decisive impact on the course of history. The bastions of colonialism had fallen one by one and only a few countries remained on the list of Non-Self-Governing Territories. One such Territory was Western Sahara. It had been invaded, occupied and then torn apart by its northern neighbour, forcing tens of thousands of its inhabitants to seek refuge in Algeria and Mauritania. However, the courageous people of the Territory had taken up arms under the Frente POLISARIO and battled their aggressors until, in 1990, Morocco had accepted the Settlement Plan negotiated under the auspices of the United Nations. Unfortunately, neither the Settlement Plan, that provided for a referendum to enable the people of Western Sahara to exercise their right of self-determination, nor the Houston Accords of 1997, nor the Peace Plan for self-determination of the people of Western Sahara had been implemented. Instead, Morocco, after repeated excuses and evasions, had rejected the very principle of a referendum.

2. None of the specious arguments that Morocco put forward to try to justify its occupation of the Territory or the false solutions it proposed to avoid its international obligations could change the situation of Western Sahara as an illegally occupied Non-Self-Governing Territory. The international community would never accept the occupation as a fait accompli, and the Saharan people would never resign themselves to living under foreign occupation and renounce their rights. That was clear from the nationalist demonstrations, which had been taking place with increasing frequency over recent months, in various towns of occupied Western Sahara, and had been violently put down by the Moroccan occupying forces, and the impact they had had on public opinion despite the systematic closure of the Territory to the media and non-governmental organizations. It was therefore not surprising that no country had recognized Morocco's alleged sovereignty over Western Sahara, and that on all maps of the world, Western Sahara continued to be shown as a separate entity from Morocco. Moreover, the very fact that the question of Western Sahara remained on the agenda of the main organs of the Organization was enough to negate any claim by Morocco to sovereignty over the Territory.

3. There was still time for Morocco to return to international legality and acknowledge the Peace Plan, which had been unanimously approved by the Security Council. The forthcoming visit to the region of the Secretary-General's new Personal Envoy for Western Sahara could provide an opportunity for a resumption of the peace process. His Government would continue to give its full support to any solution in conformity with international law that would allow the people of Western Sahara to exercise their inalienable right to self-determination.

4. **Mr. Yañez-Barnuevo** (Spain), referring to the question of Gibraltar, said that the new Trilateral Forum for Dialogue, which worked with an open agenda, had held two meetings, in February and July 2005, in which the three participants — Spain, the United Kingdom and Gibraltar — had made progress on issues relating to the Territory's airport, gate border, pensions and telecommunications, and on cooperation in environmental and border matters, culture and sports, and legal and police matters. A third meeting

would be held the coming week to reach final agreements on those issues.

5. An important innovation in the Forum for Dialogue — which departed from the procedures followed theretofore under the Brussels Process — was the fact that all three parties spoke separately for themselves, on the basis of equal participation, and without prejudice to their constitutional status, including the fact that Gibraltar was not a sovereign, independent state. Furthermore, all Forum decisions were taken by consensus; and in the case of decisions properly taken bilaterally between Spain and the United Kingdom, the understanding was that the United Kingdom would not reach agreement without the consent of the Government of Gibraltar. Gibraltar's sovereignty would be one such issue to be handled bilaterally, although of course the aspirations and interest of the people of Gibraltar would be taken into account. The atmosphere of mutual confidence and cooperation that had been instituted meant that, as the Forum proceeded with its work, it would be possible to begin at the appropriate moment to consider a definitive solution to the question of Gibraltar.

6. The Joint Committee of the Territorial Government of Gibraltar and the Mancomunidad de Municipios de Gibraltar that had also been established in 2004 had met several times to identify and carry out mutually beneficial projects, with the constructive participation of the various political groups represented.

7. In view of the foregoing, Spain could state that it was fulfilling the mandate given to it by the General Assembly in decision 59/519, and that it stood ready to continue endeavouring to put an end to the conflict over Gibraltar.

Hearing of representatives of Non-Self-Governing Territories and petitioners

8. *At the invitation of the Chairman, Mr. Caruana, Chief Minister of Gibraltar, took a place at the table.*

9. **Mr. Caruana** (Chief Minister of Gibraltar) observed that, stripped of historical and political complications, the question of Gibraltar was really a very simple one. Over the past 1,300 years or so, Gibraltar had been Moorish for 727 years, Spanish for 266 years, and a British possession and then colony for 301 years. The Territory already enjoyed a very large measure of self-government, having its own democratically elected Government responsible for all matters except external affairs, defence and internal security, and its own Parliament that legislated in respect of all matters. Everyone, including Spain, agreed that Gibraltar should be decolonized. The single issue at stake was whether that decolonization should take place in accordance with the freely expressed wishes of the people of Gibraltar, or whether — as Spain maintained — it should be achieved by the handover of sovereignty by the administering Power, the United Kingdom, to Gibraltar's neighbour, Spain, in negotiations conducted bilaterally between them.

10. Spain asserted that it was United Nations doctrine that Gibraltar's decolonization must be achieved by applying not the principle of self-determination but the principle of territorial integrity, namely, by the handover of Gibraltar's sovereignty from the United Kingdom to Spain, regardless of the wishes of the people. For the people, that would be not decolonization but recolonization. Such an undemocratic handover should be anathema to all countries governed by the rule of law. Nor could it be accepted as United Nations doctrine, for the principle of territorial integrity related properly only to the disintegration of existing States and not to the decolonization of listed Non-Self-Governing Territories. That was the meaning of the concept of territorial integrity in the Declaration on the Granting of Independence to Colonial Countries and Peoples, and especially in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations (resolution 2625 (XXV)) which, after giving classic statements of the two principles of self-determination and territorial integrity, went on, in the penultimate paragraph of the section on the principle of equal rights and self-determination of peoples, to give the only United Nations statement of the correct interrelationship between those two principles. It was self-evident, under the terms of that Declaration, that Spain was not possessed of a Government representing the people and Territory of Gibraltar, and that, since Gibraltar was not a part of Spain and would not be seceding from it, its decolonization would not result in the disintegration of Spain. The principle of territorial integrity therefore did not override the principle of self-determination in Gibraltar's case.

11. There was a further confusion by Spain of two other distinct issues: decolonization and sovereignty. Spain asserted that Gibraltar could not be decolonized by applying the principle of self-determination because of the existence of a so-called sovereignty dispute over the Territory, a conceptual misconception that had no foundation in United Nations doctrine or international law. To solve a sovereignty dispute relating to a Territory against the wishes of its people was not a valid means of decolonization. United Nations doctrine maintained that self-determination was an inalienable right and a basic and fundamental human right. Inalienable rights could not be overridden by the mere existence of a territorial sovereignty claim. Sovereignty disputes had often survived decolonization of a Territory by self-determination, and did not stand in the way of decolonization. Such had been the position of the International Court of Justice as well, when, in its judgement on Namibia, it had declared the principle of self-determination to be applicable to all Non-Self-Governing Territories regardless of demands for integration by an interested State. Regrettably, those clear statements in United Nations doctrine and international law had been misrepresented in the reports and recommendations of recent regional seminars held by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

12. The position of the people of Gibraltar themselves was that their homeland could be decolonized only through their exercise of their inalienable right to freely decide their own political future. If the Committee, or Spain and the United Kingdom, disagreed with that position, they were urged to refer the matter to the International Court of Justice for an advisory opinion. The Territory was currently engaged in constitutional talks with its administering Power, the United Kingdom, for the negotiation of a non-colonial constitution endowing the people of Gibraltar with the greatest possible measure of self-government. The expectation was that the talks would be concluded satisfactorily early in 2006.

13. For a decade his Government had decried the concept of bilateral negotiations about Gibraltar between its administering Power and the territorial claimant, Spain. The concept was wrong, because it was completely disrespectful of the rights of the people of the Territory, and ineffective, because nothing could be agreed to without their consent. Accordingly, he had repeatedly urged the Committee to modify its annual resolution on the question of Gibraltar to reflect the fact that in practice no bilateral negotiations had been held since September 2002 and that the United Kingdom did not intend to resume them.

14. Gibraltar applauded the establishment of the new Trilateral Forum for Dialogue, separate from the so-called Brussels Process, for it had inaugurated a realistic and viable dialogue between all parties for the benefit and prosperity of Gibraltar and the whole region, in particular the Campo de Gibraltar, the district of Spain that bordered Gibraltar. Consequently, the Committee's resolution on the question should not perpetuate a fiction by focusing on the obsolete bilateral Brussels Process. At the very least, the resolution should include a full reference to the new tripartite process and eliminate pointless quotations from the text of the Brussels Declaration. The Government of Gibraltar would continue to participate constructively in the new tripartite process, in which all parties understood that the others had not changed their position on basic questions but were willing to continue working with mutual respect.

15. *Mr. Caruana withdrew.*

16. *At the invitation of the Chairman, Mr. Bossano (Leader of the Opposition, Parliament of Gibraltar) took a place at the petitioners' table.*

17. **Mr. Bossano** (Leader of the Opposition, Parliament of Gibraltar), said that Gibraltar was still under colonial rule because, for 40 years, Spain had done everything in its power, at international forums and bilaterally with the United Kingdom, to impede progress towards decolonization. The Government of the United Kingdom had taken the position that, under article X of the Treaty of Utrecht signed in 1713, Spain had the right to claim sovereignty over Gibraltar if the United Kingdom relinquished it. In 1964, however, the United Nations had confirmed that the Declaration on decolonization applied fully to the Territory of Gibraltar; that meant that no bilateral treaty, let alone one from 1713, when the very notion of human rights did not exist, could override the provisions of the United Nations Charter. Furthermore, the Treaty of Utrecht was an anachronism, and negated all the values that the United Nations was established to uphold. Yet two Socialist Governments, that of Spain and that of the United Kingdom, were hiding behind the pseudo

legitimacy of that long-defunct treaty to justify their failure to observe their obligations to a people under colonial rule.

18. The United Kingdom had indicated to the Committee in 2004 that it did not subscribe to the policy that reports under Article 73 *e* of the Charter had to continue until the General Assembly decided that a Territory had achieved a full measure of self-government; he therefore expected reports under Article 73 *e* to cease when the current negotiations were finalized and the referendum was held.

19. Gibraltar was a culturally distinct and geographically separate country, similar to the other 15 countries on the list of Non-Self-Governing Territories, and the Special Committee had clearly stated that its goal was to obtain self-determination for all those Territories, including Gibraltar. However, the Committee could not continue to urge the resumption of bilateral talks between the United Kingdom and Spain when it knew full well that no such talks would take place.

20. The annual exercise of adopting resolutions on Gibraltar continued to be utterly meaningless, and totally overlooked the aspirations of the people of Gibraltar, who wished to agree upon a new Constitution, with the United Kingdom, granting them the maximum possible level of self-government. The novelty in 2005 was the Trilateral Forum for Dialogue, in which Spain, the United Kingdom and Gibraltar were supposed to participate. Spain mistakenly believed that the Forum would generate a more receptive climate to making sovereignty concessions as part of a deal with the United Kingdom. Yet even if Spain dropped all its restrictions and asked for nothing in exchange, that would not happen. Gibraltar was not taken in by promises of greater prosperity, as its per capita gross domestic product was already higher than that of Spain. If Gibraltar was not afforded support, it would achieve decolonization and exercise self-determination on its own, as so many other countries had done.

21. *Mr. Bossano withdrew.*

22. *At the invitation of the Chairman, Mr. Aguon (Chamoru Cultural Development and Research Institute) took a place at the petitioners' table.*

23. **Mr. Aguon** (Chamoru Cultural Development and Research Institute) said that the island of Guahan, better known as Guam, continued to be illegally occupied by the United States of America. Local politicians were also embracing privatization and militarization agendas that were depleting Guahan of its assets, infrastructure and cultural integrity.

24. The current Governor of Guahan, was supporting a policy that was profoundly anti-Chamoru and anti-democratic. Together with some members of the legislature and of the business community, he had embarked upon privatization in a number of key sectors. Telecommunications and electricity had been the first to be privatized; plans were under way to privatize the one and only hospital; and now the politicians were calling for the privatization of the water supply, and of the island's one and only commercial port.

25. The politicians were in cahoots with the local Chamber of Commerce to increase the military presence in Guahan, which was already over-militarized. There were no alternative media in Guahan to report on that state of affairs as the main newspaper, the *Pacific Daily News*, was a subsidiary of the United States-based Gannet Corporation. The President and Publisher of that newspaper was also the Chairman of the Armed Forces Committee of the Chamber of Commerce, whose main mission was to increase civilian support of the military presence in Guahan. Not only was the United States increasing its military presence, it was building two new schools for its children, while denying Chamoru children a dignified, decolonized future.

26. This year it had been revealed that United States federal agencies, under the Department of the Interior, had deliberately quashed a presidential directive handed down by President Ford in 1975 mandating that Guam be given a status no less favourable than that of the commonwealth arrangements of the Northern Mariana Islands.

27. The colonized Chamoru of Guahan were still invisible in the international community. They challenged the Committee to apply pressure on the United States of America to usher along self-determination via a legitimate, Chamoru-only vote on political status, and to demand that the United States provide funding for the conduct of a public education campaign on political status options.

28. *At the invitation of the Chairman, Ms. Quinata (Chamoru Nation) took a place at the petitioners' table.*

29. **Ms. Quinata** (Chamoru Nation) said that the people of Guam — the Chamoru — continued to live under colonial rule in their homeland. More than one third of the entire island was occupied by the United States Armed Forces. Although some Chamoru people had come to believe that self-determination was a mere illusion, others had chosen instead to put their faith in the rule of international law and the work of the Committee.

30. The Chamoru were increasingly concerned at attempts by the United States of America, the administering Power, to undercut the decolonization process, while tightening its grip on Guam. Although some maintained that Guam was already effectively self-governed, because there were local elections, locally elected officials pledged allegiance to the United States of America and were bound by its laws. The war on terrorism had become a catch-all excuse for every injustice and act of oppression. The administering Power continued to build additional large storage facilities for weapons of mass destruction on the island. Indeed, the two areas of greatest concern for the Chamoru were militarization and privatization. For example, attempts were being made to privatize Guam's only commercial seaport, and the administering Power continued to cripple the local economy by enforcing regulations such as the Jones Act.

31. Over the past 400 years, Guam had been colonized by Spain, the United States, Japan, and then again by the United States. Although the people of Guam had yet to exercise self-determination, they would continue to fight for that right. The Chamoru people called on the Committee to insist that the United States pay war reparations, clean up contaminated land and water, pay adequate compensation for land it was using, and fulfil its treaty obligations to provide the means for an adequate education campaign on the right to decolonization. In addition, they sought assistance in bringing their case before the International Court of Justice.

32. *Ms. Quinata withdrew.*

Question of Western Sahara (A/C.4/60/5 and Add.1-4)

33. *At the invitation of the Chairman, Ms. Ramos took a place at the petitioners' table.*

34. **Ms. Ramos** (American Association of Jurists) said that her organization was a non-governmental organization enjoying consultative status with the Economic and Social Council. The association expressed its solidarity with the Saharan people and their right to self-determination and independence. The Saharan people had suffered for more than 25 years the fierce repression of the Moroccan occupation regime. Since May 2005, they had struggled en masse to claim their freedom. The heroic hunger strike by Saharan prisoners had reaffirmed the cruelty of the Moroccan occupation and underscored the ongoing violations of human rights. The United Nations Mission for the Referendum in Western Sahara (MINURSO) was urged to do everything possible to facilitate the immediate and unconditional release of all Saharan political prisoners, and should immediately call for a referendum on self-determination. The Secretary-General, the General Assembly and the Security Council should urgently intervene to protect civilians, as well as the men and women who had been jailed for defending the human rights and independence of the Saharans, and should ensure the fundamental freedoms of all Saharans. It was untenable for a colonial administration to have the power to impose arbitrary imprisonment and to deny access to the information media, international observers and human rights organizations.

35. The decolonization of Western Sahara should take place in accordance with the settlement plan through a referendum supervised by the United Nations. If the rights of the Saharan people were not respected, it was very likely that the armed conflict would start anew. The settlement plan had already led to the declaration of a ceasefire, the deployment of MINURSO, the beginning of voter identification and the exchange of prisoners.

36. The United Nations should face up to its responsibility in Western Sahara, as should Spain. The United Nations had the responsibility to protect the territorial integrity and natural resources of Western Sahara, whose territory was coveted by transnational economic interests and major Powers because of its natural resources. The Association called on the Committee to take note of the harsh living conditions

of more than 160,000 Saharans in the Tindouf refugee camps, and called on Member States to recognize officially the Saharan Arab Democratic Republic.

37. *Ms. Ramos withdrew.*

38. *At the invitation of the Chairman, Ms. Hardin took a place at the petitioners' table.*

39. **Ms. Hardin**, speaking on behalf of Mr. Wamp, member of Congress, United States of America, said that 150,000 people remained in extremely harsh conditions in refugee camps in the Sahara desert. Despite the extremes of scorching summer heat and frigid winter temperatures, the Saharans were still living in tents and mud brick rooms. Water was trucked in, electricity was virtually non-existent and they used holes in the ground for sanitation facilities. They continued to rely almost totally on humanitarian assistance from the international community. The lack of variety in food aid was heartbreaking and malnutrition rates, especially among young children, were extremely high. As a result, the Office of the United Nations High Commissioner for Refugees (UNHCR) had initiated a therapeutic feeding programme for children. The absence of meaningful work was another depressing aspect of the refugee camps.

40. Despite those extreme hardships, the Saharan people were a shining example of the triumph of the human spirit. A strong and vibrant people, they still had hope for their future and were warm and welcoming to strangers. Women played a prominent role in Saharan society and had parity with men under their Constitution. They ran many of the administrative institutions of the refugee camps. The literacy rate in the camps was astonishingly high, as were children's school attendance rates, especially in the early grades. Women led sanitation committees in each area to ensure order and cleanliness.

41. The refugees were well-informed and were aware of the current meeting. They had had their hopes dashed many times, however, and were frustrated and disillusioned by the lack of follow-through by the international community. Only a few people in the world had the means to help the Saharan people and it was hoped that those present at the meeting would take action to help them return to their beloved homeland.

42. *Ms. Hardin withdrew.*

43. *At the invitation of the Chairman, Mr. Ortiz (Secretary, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui) took a place at the petitioners' table.*

44. **Mr. Ortiz** (Secretary, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (FEDISSAH)), said that FEDISSAH condemned the brutal repression of the most basic human rights of the population of the occupied territories in Western Sahara. The Moroccan authorities continued to monitor the entry of international observers into Western Sahara and in recent months had on 11 occasions prevented the entry of political and social delegations from Spain who had wished to investigate the situation of Saharan detainees.

45. On 12 November 2005, the European day of mobilization for the liberation of Saharan political prisoners would be held in Madrid, which would provide an opportunity to remind the Government of Spain of its historical responsibility for the decolonization of Western Sahara and the need to renounce the tripartite agreements of 30 years earlier. It was important that the last colony in Africa be allowed to exercise its right to self-determination.

46. The referendum on self-determination provided for in Security Council resolutions 650 (1990) and 690 (1991) had still not been held. Unfortunately the Government of Morocco continued to prevent the holding of the referendum and to impede the new plan for the self-determination of Western Sahara, unanimously approved by the Security Council in resolution 1495 (2003). The United Nations and the Security Council must act urgently to ensure the implementation of the relevant resolutions and the holding of a referendum.

47. The United Nations was at a crossroads: it must ensure that the Government of Morocco complied with its commitments or withdraw and lose credibility and risk a return to armed conflict, which could affect peace and security in the entire north-east of Africa. He recalled that the settlement plan, the Houston agreements and the Baker plan had been accepted by the Frente POLISARIO. The international community was too tolerant of the intransigence on the part of the Kingdom of Morocco and its illegal occupation and exploitation of the resources of Western Sahara. In that context, he called on the European Union to reconsider the recent fishing treaty signed with the Kingdom of

Morocco. The time had come to find a solution. If there was no other alternative, the Security Council should act under Chapter VII of the Charter in order to ensure that the heroic people of Western Sahara, who had suffered so much, could live in peace and dignity and freely determine their own future.

48. *Mr. Ortiz withdrew.*

49. *At the invitation of the Chairman, Ms. Navarro (Consejo General de la Abogacía Española) took a seat at the petitioners' table.*

50. **Ms. Navarro** (Consejo General de la Abogacía Española (CGAE)) said that the objective of CGAE was to defend the fundamental rights and freedoms of the citizens of the world. Since 2002, it had endeavoured to ensure an independent and objective review of the situation in Western Sahara and in 2005 had sent several delegations of jurists to investigate the workings of the Moroccan judicial system with respect to the population of Western Sahara. Those delegations had received no cooperation from the Moroccan administration and had often had to face obstacles imposed by the latter.

51. In July 2005 a delegation had attended the trials of Saharans who had been arrested in the city of El Aaiún in May 2005 for having participated in peaceful demonstrations in support of the human rights and right to self-determination of the Saharan population. During the trial the area surrounding the courthouse had been cordoned off by the police and military and even vehicles belonging to MINURSO had not been allowed to enter. No Saharans or international press had been allowed in the courtroom; only the official Moroccan press had been allowed in. Other than military and police and plainclothes policemen, only eight Saharans, female family members of the accused, and, on one occasion, a Moroccan human rights representative, had been allowed in the courtroom. The defendants, on successive appearances, showed signs of both earlier and recent physical abuse; it was obvious they had received only the most cursory medical care. The defendants, speaking Spanish, had called out slogans such as "The Sahara is not Moroccan" and "Viva POLISARIO" which had led to their removal from the courtroom by the guards, who had beaten them with clubs. The trial had then continued without them. The defence lawyers had not appeared, saying the verdict was pre-determined.

52. The trials had violated all the principles of international law on the right to due process and a fair trial and were tantamount to kangaroo courts. She noted that trials against Saharan human rights defenders were held in Morocco, which did not have sovereignty over the Non-Self-Governing Territory of Western Sahara and was not the administering Power, and that Morocco's actions were in violation of article 1 of the Declaration on Human Rights Defenders.

53. *Ms. Navarro withdrew.*

54. *At the invitation of the Chairman, Ms. Etxberria (Euskal Fondoa), took a place at the petitioners' table.*

55. **Ms. Etxberria** (Euskal Fondoa) said her association, which represented local and regional authorities in the Basque country, supported the Saharan people in their quest for self-determination. Towns and villages had been twinned with their Saharan counterparts. Saharan children visited the Basque country and families from the Basque country visited the Saharan refugee camps in Tindouf. Euskal Fondoa provided food and financial aid to the camps, and publicized the brutal repression of human rights activists; yet the international community and the United Nations had failed to guarantee the human rights of the Saharan population, and MINURSO had not intervened or even issued a communiqué regarding the serious events of May 2005.

56. She noted that the Frente POLISARIO was complying with international agreements and had freed Moroccan prisoners of war and called on the Government of Morocco to meet its commitments. It was urgent that the United Nations act to ensure the holding of a referendum on self-determination for Western Sahara in order to put an end to the suffering already endured by two generations of Saharans.

57. The Government of Morocco persisted in its brutal and illegal occupation while the international community continued to speak of dialogue and peaceful and friendly agreements between two peoples. The Saharan people had an inalienable right to a referendum on self-determination and elected officials, like those she represented, had an obligation to ensure that justice for the Saharan people prevailed over the economic interests of a small minority.

58. *Ms. Etxberria withdrew.*

59. *At the invitation of the Chairman, Mr. Knapp took a place at the petitioners' table.*

60. **Mr. Knapp** said that the United Nations, in trying to remain neutral in the Western Sahara, was in fact being pro-Moroccan because the status quo was in Morocco's favour. The United Nations should consider other options: in accordance with Article 33 of the Charter, the Security Council could call upon the parties to seek arbitration or a binding legal settlement; the General Assembly could denounce the occupation as it had with regard to the Israeli-Palestinian conflict or call upon Morocco to respect the finding of the International Court of Justice, which had declared that Morocco had no ties of sovereignty over the region. The United Nations should not hand over a peaceful people to an occupying Power under the pretence of autonomy; it should not reward colonizers by allowing them to annex territory or be deceived by promises of self-rule in a region increasingly being appropriated by Moroccan settlers. On behalf of the sons and daughters of the sands, he said that 30 years as refugees was too long; another generation of Saharans should not likewise be divorced from their land.

61. *Mr. Knapp withdrew.*

62. **Mr. Williams** (United Kingdom), speaking in exercise of the right of reply to the statement made by the representative of Spain, welcomed the latter's remarks concerning Gibraltar and stressed that his Government believed that issues relating to Gibraltar could only be resolved in a climate of trust, cooperation and dialogue. He therefore warmly welcomed the newly established Trilateral Forum for Dialogue, through which all parties, including Gibraltar, could express their views. He also welcomed the positive progress on practical issues described by the representative of Spain.

63. He reiterated that the United Kingdom had no doubts about its sovereignty over Gibraltar. His Government stood by its commitment to the people of Gibraltar as contained in the preamble to the 1969 constitution of Gibraltar, which stated that "Her Majesty's Government will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes".

The meeting rose at 6.05 p.m.